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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------------------------------------------------------------------------------------------|-------------|----------------------|---------------------|----------------------------|
| 10/848,823 | 05/19/2004 | Shoji Kojima | 02008/167001 | 4778 |
| 7590 | 08/19/2005 | | | EXAMINER VELEZ, ROBERTO |
| Jonathan P. Osha Osha Novak & May L.L.P. Suite 2800 1221 McKinney St. Houston, TX 77010 | | | ART UNIT 2829 | PAPER NUMBER |
| DATE MAILED: 08/19/2005 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|-----------------|---------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/848,823 | KOJIMA, SHOJI |
| Examiner | Art Unit | |
| Roberto Velez | 2829 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 19 May 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) _____ is/are rejected.
- 7) Claim(s) 1-9 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 21 October 2004 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>10/21/2004</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

The Information Disclosure Statement filed on 21 October 2004 had been entered and the references considered.

Drawings

Figure 2 and 9 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 1-9 are objected to because of the following informalities: it appears that the word "whereas" in claims 1-3 should be "while". For clarity, "of said both transistors" in claims 5-8 should be "both of said transistors". There is no antecedent for first transistor, and third transistor, as shown in claim 7. Appropriate correction is required.

Allowable Subject Matter

Claims 1-9 would be allowed if amended to overcome the objections above.

The following is an examiner's statement of reasons for allowance: the prior art of record, taken alone or in combination, fails to disclose a driver circuit comprising: means

for generating a differential rise correction pulse to perform a peaking correction on a rise of a waveform, means for generating a differential fall correction pulse to perform a peaking correction on a fall, means for performing said peaking correction on a rising part of a waveform outputted from said driver circuit based on said differential rise correction pulse, whereas performing said peaking correction on a falling part of a waveform outputted from said driver circuit based on said differential fall correction pulse as shown in claim 1, a rise pulse superimposing section for receiving said differential rise correction pulse and generating a first sink current whose current amount corresponds to said differential rise correction pulse, a fall pulse superimposing section for receiving said fall correction pulse and generating a second sink current whose current amount corresponds to said fall correction pulse, preceding and last stages of said driver circuit for outputting a test waveform to be supplied to said DUT by receiving said first sink current and performing a peaking correction on a rising side of test waveform, while receiving said second sink current and performing a peaking correction on a falling side of said test waveform, as shown in claim 2, or a plurality of drive pulse generating means, a plurality of rise pulse superimposing sections, a plurality of fall pulse superimposing sections, preceding and last stages of said driver circuit for outputting a test waveform to be supplied to said DUT, as shown in claim 3.

Conclusion

This application is in condition for allowance except for the following formal matters:

Please see above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Iorga et al. (US Pat. 6,642,707) discloses a high-speed peaking circuit for characteristic impedance control comprising a driver circuit, transmission lines connected to a DUT.

Bryson et al. (US Pat. 5,842,155) discloses a method and apparatus for adjusting pin driver charging and discharging current comprising a pulse forming circuit connected to a DUT.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roberto Velez whose telephone number is (571) 272-0218. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (571) 272-2034. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2829

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RU
Roberto Velez
Art Unit 2829



Sandra V. Smith
Primary Examiner